



Order Filed on April 26, 2021  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

**Caption in Compliance with D.N.J. LBR 9004-1(b)**

Robertson, Anschutz, Schneid, Crane & Partners, PLLC  
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Fairfield, New Jersey 07004  
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Attorneys for Secured Creditor  
Shauna Deluca, Esq. (SD-8248)

In Re:  
**Walter S. Kelly,**  
  
**Debtor.**  
  
**Iris D Kelly**  
  
**aka Iris D Johnson,**  
  
**Joint Debtor.**

Case No.: 17-35622-JKS

Chapter: 13 Hearing

Date: April 22, 2021

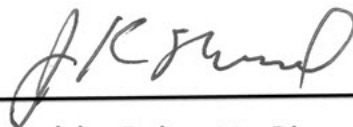
Judge: John K. Sherwood

Recommended Local Form: ☒ Followed ☐ Modified

**ORDER VACATING STAY and CO-DEBTOR STAY**

The relief set forth on the following page, is hereby **ORDERED**.

**DATED: April 26, 2021**

  
\_\_\_\_\_  
Honorable John K. Sherwood  
United States Bankruptcy Court

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Debtors: Walter S. Kelly and Iris D Kelly *aka* Iris D Johnson

Case No.: 17-35622-JKS

Caption of Order: **Order Vacating Stay and Co-Debtor Stay**

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Upon the motion of PHH Mortgage Corporation, (“Secured Creditor”) under Bankruptcy Code section 362(d) for relief from the automatic stay as to certain property and Co-Debtor Stay pursuant to 11 U.S.C. §1301 as hereinafter set forth, and for cause shown, it is

ORDERED that the automatic stay is vacated to permit the movant to institute or resume and prosecute to conclusion one or more actions in the court(s) of appropriate jurisdiction to pursue Secured Creditor’s rights in regard to the following:

☒ Real property more fully described as:

419 Highland Avenue, Clifton, New Jersey 07011

It is further ORDERED that Secured Creditor, its successors or assignees, may proceed with its rights and remedies under the terms of the subject mortgage and pursue its state court remedies including, but not limited to, taking the property to sheriff’s sale, in addition to potentially pursuing other loss mitigation alternatives, including, but not limited to, a loan modification, short sale or deed-in-lieu of foreclosure. Additionally, any purchaser of the property at sheriff’s sale (purchaser’s assignee) may take any legal action for enforcement of its right to possession of the property.

It is further ORDERED that Secured Creditor may join the Debtors and any trustee appointed in this case as defendants in its action(s) irrespective of any conversion to any other Chapter of the Bankruptcy Code.

It is further ORDERED that the Co-Debtor stay under 11 U.S.C. 1301 is vacated.

Secured Creditor shall serve this Order on the Debtors, any trustee, and any other party who entered an appearance on the motion.